

## **REMARKS**

This application has been reviewed in light of the Final Office Action mailed January 25, 2006. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1-6 are pending in the application with Claims 1 and 5 being in independent form. By the present amendment, Claims 1 and 5 are amended and Claims 3 and 6 are canceled. No new subject matter is introduced into the disclosure by way of the present amendment.

### **I. Rejection of Claims 1 – 3 and 6 Under 35 U.S.C. § 103(a)**

Claims 1 – 3 and 6 under 35 U.S.C. § 103(a) as allegedly obvious over Applicants' admitted prior art (hereinafter, "APA") in view of U.S. Patent No. 5,764,687 issued to Easton (hereinafter, "Easton") and further in view of U.S. Patent No. 6,289,061 issued to Kandala et al. (hereinafter, "Kandala").

APA fails to disclose that the allocated path tracking range is variably determined based on the respective distances between peak positions of the plurality of radio waves, such that the allocated path tracking range is broadened when the distances are large, and narrowed when said distances are small.

By varying the path tracking range, Applicants' invention allows inverse spreading within a path tracking range independent of the path tracking ranges of the other fingers, thus positively receiving all the radio waves.

Easton discloses path tracking ranges which may be varied over time, however, as in the APA reference above, Easton fails to disclose or suggest having path tracking ranges for each of the plurality of finger sections that are variably determined based on the respective distances between peak positions of the plurality of radio waves, such that the allocated path tracking range is broadened when the distances are large, and narrowed when said distances are small.

Kandala fails to disclose or suggest having path tracking ranges for each of the plurality of finger sections that are variably determined based on the respective distances between peak positions of the plurality of radio waves, such that the allocated path tracking range is broadened when the distances are large, and narrowed when said distances are small, as well.

In response, independent Claim 1 is amended to recite: "...said path tracking range in each of said plurality of finger sections being variably determined based on the respective distances between peak positions of said plurality of radio waves, said path tracking range being broadened when said distances are large, and said path tracking range being narrowed when said distances are small, and said path timing range being independently determined for each of said plurality of finger section." Claims 3 and 6 has been canceled as these claims duplicate the newly added limitations in Claim 1 and Claim 5 (see below). Support for the limitation recited above can be found on page 11, lines 6 – 24.

Therefore, for at least the reasons given above, Claims 1, 2 and 4 are believed to be patentably distinct and allowable over the cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 1, 2 and 4 under 35 U.S.C. § 103(a) over APA in view of Easton and further in view of Kandala et al.

## **II. Rejection of Claim 5 Under 35 U.S.C. § 103(a)**

Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly obvious over APA in view of Kandala.

In response, independent Claim 5 is amended to recite: "...said path tracking range in each of said plurality of finger sections being variably determined based on the respective distances between peak positions of said plurality of radio waves, said path tracking range being

broadened when said distances are large, and said path tracking range being narrowed when said distances are small.”


Therefore, for at least the reasons given above for Claim 1, Claim 5 is believed to be patentably distinct and allowable over the cited prior art references. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claim 5 under 35 U.S.C. § 103(a) over APA in view of Kandala et al.

### CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1, 2, 4 and 5 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,

  
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